

REMARKS

The Office examined claims 1, 2 and 4-24 and rejected same. With this paper, the claims are unchanged.

Objections in specification:

At paragraph 2 of the Office action, the specification is objected to for formalities regarding use of Trademarks. With this paper, the specification is changed in a way believed to respond satisfactorily to the objections.

In addition, the indication "Japanese" at page 8, line 31, is corrected to read --Chinese--.

Rejections under 35 USC §103

At paragraphs 6 of the Office action, the claims 1, 11 and 24 are rejected under 35 USC §103(a) as being unpatentable over Kim (U.S. Pat. No. 6,597,918) in view of Wakatsuki (U.S. Pat. No. 6,792,450).

In grounding the rejection, the Examiner asserts that Kim discloses the invention as in claims 1, 11 and 24 except for disclosing "the plurality of frames to be frames of a funny," and so relies on Wakatsuki for disclosing "the use of a plurality of frames to be frames of a funny (note figures 7a-7c) in a method and apparatus for use conveying a plurality of messages from a sending terminal for the purpose of displaying a frame of a comic strip (funny) on the display one by one in the order set."

Applicant respectfully submits that at the cited locations in Wakatsuki what is disclosed is merely displaying on a communication terminal apparatus in "electronic comic mode" a plurality of still pictures downloaded from an electronic comic server (sometimes called a "center"). Wakatsuki nowhere discloses a method by which a communication terminal (sending device) is used to order messages in a plurality of messages in

an order indicated by a user (a sending terminal assembling a plurality of messages in a desired order according to inputs by a user), or indicating the order in the messages (the sending terminal indicating in each message the order of the message in the desired order), or sending all the messages at once, in response to an input by the user in respect to all of the frames of the funny (the sending terminal sending all of the messages to the receiving terminal in response to an input by the user, and thus the user not having to repeat the input for each frame), with the plurality of messages conveying what a funny comprising a plurality of frames (the plurality of messages conveying a plurality of frames of a funny, so that each frame is conveyed by one or more of the messages, and wherein each frame is logically related to at least one other of the frames).

Further still, Wakatsuki actually teaches away from the invention, where it discloses (col. 4, ll. 48-50) that "The communication terminal apparatus 10 prepares operation modes of the download mode [for getting a funny from the server] and the electronic comic mode [for viewing a funny] as other modes than this telephone mode," and so indicating that the viewing of what the application calls a funny is unrelated to telephonic communication. And as argued in response to the previous Office action, Kim nowhere discloses a plurality of frames in the sense that the term "frame" is used in the application.

Thus, there is simply no teaching, either in Wakatsuki or Kim or the two combined, of a method including each of the steps/means recited in claims 1, 11, and 24, namely: a sending terminal assembling a plurality of messages in a desired order according to inputs by a user; the sending terminal indicating in each message the order of the message in the desired order; and the sending terminal sending all of the messages to the receiving terminal in response to an input by the user; wherein the plurality of messages conveys a plurality of frames of a funny,

so that each frame is conveyed by one or more of the messages, and wherein each frame is logically related to at least one other of the frames. Nor is there such a teaching in Wakatsuki.

Applicant respectfully points out that applicant is not claiming to have invented a funny, as that term is used in the application and also as in Wakatsuki, but applicant does to have invented a method by which a funny is transmitted as possibly several messages from a sending telecommunications terminal to another (receiving) telecommunications terminal, a method that works because it includes steps by which the frames of a funny are selected and ordered, the ordering is indicated in the messages, and, most helpfully for a user of the mobile phone, the funny is communicated in response to an input by the user indicating that the entire funny is to be communicated, as opposed to the user having to repeat the input for each frame. It is thus, applicant respectfully submits, unfair to reject the claims using art having no relationship to a funny (namely Kim), combined with art showing merely that the prior art includes a funny, but not showing any of the steps/ means of the invention as claimed.

Further even still, although Kim does disclose transmitting as a plurality of messages a single long message, since the single long message is not composed of frames of a funny there is no teaching of the first step/ means recited in claims 1 and 11, namely, the sending terminal assembling the plurality of messages in a desired order *according to inputs by a user* (to show the order of the frames, which have no counterpart in Kim). All that is disclosed in Kim is breaking up a long message into components, and the user is not involved even in that breaking up process. Indeed, the previous Office action nowhere cites Kim for providing such a teaching. (The previous Office action, relying only on Kim, refers to col. 1, line 49 through col. 2, line 34 for such a teaching, but at the cited location Kim

discloses only that a long message is automatically (i.e. without user involvement) *divided* into shorter messages, which are transmitted with header information so that that long message can be reassembled. There is nowhere in Kim a teaching of a device *assembling* a plurality of messages for transmission, only a teaching of dividing up a long message. There is thus no step/ means disclosed in Kim (or Wakatsuki) of the sending terminal *assembling* the plurality of messages in a desired order *according to inputs by a user* (which the user makes in order to show the order of the frames to be communicated, which have no counterpart in Kim) for transmission in a subsequent claimed step (the step of the sending terminal sending all of the messages to the receiving terminal in response to an input by the user).

Thus, even assuming, *arguendo*, the propriety of combining a reference (Kim) having nothing to do with a funny, with another (Wakatsuki), showing merely that a funny, per se, is known in the art but nowhere disclosing a user transmitting a funny and so not teaching any of the steps/ means of the invention as in claims 1 and 11, the combination made in the Office action does not actually teach all of the claim limitations, and per the MPEP at 706.02(j), for a combination to be a possible ground for rejecting a claim, the combination must indeed teach each limitation of the claim.

Accordingly, applicant respectfully requests that the rejections under 35 USC §103 of claims 1, 11 and 24 be reconsidered and withdrawn.

At paragraphs 7-8 of the Office action, the other claims are rejected under 35 USC §103.

Since claims 1, 11 and 24 are believed allowable for the reasons given above, applicant respectfully requests that the rejections of the other claims, being dependent on one or another of claim 1, 11 or 24, also be reconsidered and withdrawn.

Conclusion

For all the foregoing reasons it is believed that all of the claims now in the application are in condition for allowance and their passage to issue is earnestly solicited.

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